

E-filed 12/21/05

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHARON KUNKEL,
Plaintiff,

No. C 05-03510 JF

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

v.
MEMC ELECTRONIC MATERIALS,
INC., et al.,

ADR CERTIFICATION

Defendant.

The parties stipulate to participate in the following ADR process:

Court Processes:

☐ Arbitration ☐ ENE ☐ Mediation

(To provide additional information regarding timing of session, preferred subject matter expertise of neutral, or other issues, please attach a separate sheet.)

Private Process:

☒ Private ADR *(please identify process and provider)*

Private mediation. Please see attached.

Dated: _____

Attorney for Plaintiff

Dated: 12-16-05

Attorney for Defendant

IT IS SO ORDERED:

Judge Jeremy Fogel

Dated: 12/21/05

/s/electronic signature authorized

UNITED STATES DISTRICT JUDGE

STIPULATION AND ORDER SELECTING ADR PROCESS / ADR CERTIFICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHARON KUNKEL
Plaintiff,

v.

MEMC ELECTRONIC MATERIALS
Defendant.

No. C 05-03510 RS

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS
ADR CERTIFICATION

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(To provide additional information regarding timing of session, preferred subject matter expertise of neutral, or other issues, please attach a separate sheet.)

Private Process:

☒ Private ADR (please identify process and provider)

PARTIES WILL MUTUALLY AGREE UPON A MEDIATOR

Dated: 12/12/05

RANDALL M. WIDMANN
Attorney for Plaintiff

Dated: _____

Attorney for Defendant

IT IS SO ORDERED:

Dated: _____

UNITED STATES DISTRICT JUDGE

STIPULATION AND ORDER SELECTING ADR PROCESS / ADR CERTIFICATION

The parties have agreed to participate in a private mediation after the completion of initial discovery, including plaintiff's deposition and initial written discovery, with the mediation to occur no later than May 2006. The parties will mutually choose a mediator. The parties will split the mediator's fee 50/50.

SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL

Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

(Note: This Certification must be signed by each party and its counsel.)

Dated: 12/14/05

SHARON KUNKEL

[Typed name and signature of plaintiff]

Dated: 12/14/05

RANDALL M. WIDMANN

[Typed name and signature of counsel for plaintiff]

Dated: _____

[Typed name and signature of defendant]

Dated: _____

[Typed name and signature of counsel for defendant]

STIPULATION AND ORDER SELECTING ADR PROCESS / ADR CERTIFICATION

United States District Court

For the Northern District of California

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(Note: This Certification must be signed by each party and its counsel.)

Dated: _____

[Typed name and signature of plaintiff]

Dated: _____

[Typed name and signature of counsel for plaintiff]

Dated: 12-9-05

[Typed name and signature of defendant]

Bradley D. Kohn

MEMC Electronic Materials, Inc.

Dated: 12-12-05

[Typed name and signature of counsel for defendant]

John R. Shuman, Jr.

DLA Piper Rudnick Gray Cary US LLP

NOTICE OF NEED FOR ADR PHONE CONFERENCE / ADR CERTIFICATION

Rev. 5/00